

Public Notice

Permit Application Number: NRS# 04.291

Applicant: Mike Price
Waterhaven Development LLC
7380 Applegate Lane
Chattanooga, TN 37421

Location: South Chickamauga Creek (River Mile 2.0 to 3.0), Hamilton County,
Longitude: 85-14-06 Latitude: 35-05-14

Watershed Description: The proposed project is on South Chickamauga Creek watershed and is a part of the Lower Tennessee River Basin (TN06020001). The classified uses for this stream are fish and aquatic life, recreation, livestock watering and wildlife, and irrigation. South Chickamauga Creek watershed is on the 303(d) list and is listed for pathogens, phosphorous, sediment, and habitat alteration.

Description: The applicant proposes that Aquatic Resource Alteration Permit issued on December 17, 2004, be modified to a less restrictive form allowing for the construction of 78 boats docks on the right bank descending of South Chickamauga Creek between river miles 2.0 and 3.0.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the Division has determined that the proposed activity will not result in degradation to water quality.

Permit Coordinator: Tracy J. Daugherty. STATE OF TENNESSEE, Department of Environment and Conservation, Division of Water Pollution Control, 6th Floor, L & C Annex, 401 Church Street, Nashville, Tennessee 37243-1534

USGS Quadrangle: East Chattanooga, Tennessee (112-SW)

TO WHOM IT MAY CONCERN: The application described above has been submitted for an Aquatic Resource Alteration Permit modification pursuant to The Tennessee Water Quality Control Act of 1977, T.C.A. §69-3-108.

The purpose of this notice is to advise all concerned of the proposal for which a permit modification is sought, and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to modify or not modify the issued permit will in part be based upon that evaluation. All factors that may be relevant to the proposed modifications will be considered.

Persons wishing to comment on or object to the modification of the issued permit are invited to submit comments in writing to the address listed at the top of this notice. Written statements received in this office on or before the date of expiration of the comment period thirty days from the publication date of this notice will become part of the record and will be considered in the determination. The applicant's name and permit number should be referenced.



ENVIRONMENTAL FIELD OFFICE
TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402
PHONE (423) 634-5745 STATEWIDE (800) 891-8332 Fax (423) 634-6389

December 1, 2005

Re: **Public Notice of Proposed Aquatic Resources Alteration Permit Modification**
Waterhaven Development LLC
Hamilton County
File # NRS 04.291

Dear Commenter/Public Hearing Attendee:

Aquatic Resources Alteration Permit #NRS 04.291 was issued to the applicant Mr. Mike Price of Waterhaven Development LLC on December 17, 2004. The applicant filed an appeal of the above issued Aquatic Resources Alteration Permit (ARAP) to request a less restrictive permit. This project was previously described and a description of the project given in a Notice of Public Hearing issued by the Department on October 1, 2004. The applicant has proposed that the ARAP be modified with the proposed changes as follows:

| <i>Item</i> | <i>Number in Original Proposal</i> | <i>Number Allowed in Issued Permit</i> | <i>Revised Proposal</i> |
|---------------------------|------------------------------------|--|-------------------------|
| Boat Docks | 122 | 0 | 78 |
| Courtesy Dock & Boat Ramp | 1 of each | 1 of each | Not applicable |
| Fishing Pier | 1 | 0 | 0 |

Information submitted to the Department in support of the proposed modification is enclosed for your review and comments. The purpose of this notice is to advise all concerned of the proposal for which a permit modification is sought, and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to modify or not modify the issued permit will in part be based upon that evaluation. All factors that may be relevant to the proposed modifications will be considered.

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If you have any questions about this matter please contact me at 423/634-5709 or Tracy.Daugherty@state.tn.us.

Respectfully,

Tracy J. Daugherty
Chattanooga Environmental Field Office

File